



IAP15 Rec'd PCT/PTO 28 FEB 2007

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Toshifumi KOCHI et al.

Application No.: 10/561,614

Confirmation No.: 6476

Filed: December 20, 2005

Attorney Dkt. No.: 107348-00547

For: ENGINE-DRIVEN GENERATOR

**PETITION UNDER 37 C.F.R. § 1.47(a)**

**Mail Stop PETITIONS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

February 28, 2007

Sir:

Pursuant to 37 C.F.R. § 1.47(a), the Applicants respectfully petition the U.S. Patent and Trademark Office to accept the Oath/Declaration submitted herewith containing the signature of inventors Tadafumi HIROSE, Ryuji TSURU, Shouhei KASAGI, Yuji SHIMADA, Takeshi MAEDA in the above-identified application (national phase of PCT Application No. PCT/JP04/09713 having International Filing Date of July 8, 2004) which was filed on behalf of the above-named inventors. The signature of Toshifumi KOCHI is missing as he is medically ill and unable to execute the Oath/Declaration (Toshifumi KOCHI is a non-signing inventor). This Petition is being filed because diligent efforts have not obtained the signature of Toshifumi KOCHI. Pursuant to 37 C.F.R. §1.47(a) and M.P.E.P. §409.03, the Applicants attach herewith:

- 1) A check including \$200.00 as the petition fee under 37 C.F.R. §1.17(g);
- 2) The following as factual proof that Toshifumi KOCHI is unable to execute the

Oath/Declaration:

(a) Mr. KOCHI became ill immediately after the International patent application was filed on July 8, 2004. Attached is an English translation of Mr. Koichi's medical certificate certifying his disease. It is not expected that Mr. Koichi will recover from his illness for the foreseeable future.

(b) The Assignee, Honda Motor Co., Ltd., attempted to contact Mr. KOCHI to obtain his signature on the Oath / Declaration, However, Mr. KOCHI's illness prevents him from executing the Oath / Declaration.

3) Attached is a "Notification and Assignment of Invention" indicating assignment of one of the Japanese Priority Applications by Mr. KOCHI to Kaisha Honda Gijutsu Kenkyusho on February 21, 2003. The right of invention was transferred from Kaisha Honda Gijutsu Kenkyusho to Honda Motor Co., Ltd. on September 1, 1972, by contractual agreement.

4) The last known address of inventor Toshifumi KOCHI is:  
3-29-25-302, Shirako, Wako-shi, Saitama, Japan; and

5) Applicants submit that attached Declaration and Power of Attorney containing the signature of inventors Tadafumi HIROSE, Ryuji TSURU, Shouhei KASAGI, Yuji SHIMADA, Takeshi MAEDA on behalf of themselves and non-signing joint inventor Toshifumi KOCHI, satisfies 37 C.F.R. § 1.47(a).

By this Petition and the attached documentation, Applicants submit that they have clearly shown that the non-signing inventor, Toshifumi KOCHI, is medically unable to execute the Oath/Declaration, such that further diligent efforts will not obtain his signature on the necessary declaration and power of attorney, and further that granting of this Petition is necessary in order to preserve the rights of the parties or prevent irreparable damage.

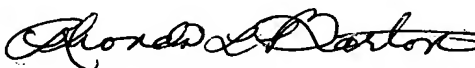
The Applicants respectfully submit that they have made a *bona fide* attempt to comply with the provisions of 37 C.F.R. §1.47(a). The applicants respectfully request the Office of Petitions grant this petition and forward the file to the Office of Initial Patent Examination (OIPE) for further processing.

If any questions or issues remain, the Office of Petitions is respectfully requested to contact the undersigned to help with their resolution.

The Applicants also include the Notification of Missing Requirements mailed November 28, 2006, and a check for \$450.00. The check includes \$200.00 as the petition fee under 37 C.F.R. §1.17(g), \$130.00 as the surcharge for the late oath/declaration, and \$120 for the one month extension of time.

The Commissioner is authorized to charge any additional fees required or credit any over-payments to Deposit Account No. 01-2300, referencing Attorney Docket No. **107348-00547**.

Respectfully submitted,



Rhonda L. Barton  
Attorney for Applicants  
Registration No.: 47,271

**Customer No. 004372**

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RLB/wbp

Enclosures: Oath/Declaration and Power of Attorney for Patent Application

English Translation of Medical Certificate

English translation of Notification and Assignment of Invention

Copy of Notification of Missing Requirements

Petition for Extension of Time

03/11/2007 00000110 10561614

03 FC:1617

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,614	Toshifumi KOCHI	107348-00547

INTERNATIONAL APPLICATION NO.
PCT/JP04/09713

LA. FILING DATE	PRIORITY DATE
07/08/2004	07/10/2003

004372  
 ARENT FOX PLLC  
 1050 CONNECTICUT AVENUE, N.W.  
 SUITE 400  
 WASHINGTON, DC 20036

CONFIRMATION NO. 6476

371 FORMALITIES LETTER



\*OC000000021363874\*

Date Mailed: 11/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2005
- Copy of the International Search Report filed on 12/20/2005
- Preliminary Amendments filed on 12/20/2005
- Information Disclosure Statements filed on 12/20/2005
- Request for Immediate Examination filed on 12/20/2005
- U.S. Basic National Fees filed on 12/20/2005
- Priority Documents filed on 12/20/2005
- Specification filed on 12/20/2005
- Claims filed on 12/20/2005
- Abstracts filed on 12/20/2005
- Drawings filed on 12/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,614	PCT/JP04/09713	107348-00547

## MEDICAL CERTIFICATE

Name: Toshifumi KOCHI

Birth Date: June 9, 1961      Sexuality: Male

Address: 3-29-25-302, Shirako, Wako-shi, Saitama, Japan

Name of Disease: State of Depression

Note:

He must rest for twelve weeks from December 25, 2006 for the reason of the above-mentioned disease.

Dated: December 15, 2006

By: Dr. Soichiro Nomura (seal)

Psychiatry, National Defense Medical College Hospital

of 2, Namiki 3-chome, Tokorozawa-shi, Saitama 359-8513 Japan

Telephone: 04-2995-1511

## 診 断 書

氏 名 河内 敏文

生年月日 昭和 36 年 06 月 09 日 男性

住 所 埼玉県和光市白子 3-29-25-302

病 名 うつ状態

### 付 記

上記にて 12 月 25 日より 12 週間の休養が必要です。

平成 18 年 12 月 15 日

防衛医科大学校病院

郵便番号 359-8513 所沢市並木 3 丁目 2 番地

電話番号 04-2995-1511

精神科 医 師 野村総一郎



飯田

三橋